

REMARKS

In response to the Office Action mailed March 30, 2004, applicant submits the above amendments and the following remarks. Reconsideration of the pending claims 1-9 in the present application is respectfully requested.

Applicant thanks the Examiner for considering previously submitted arguments to the prior Office Action, entering the amendments and not maintaining the prior rejections in the Office Action. In this response, applicant has further amended claim 1 to correct some inadvertent typographical errors of omission. These corrections being of form only, do not result in any substantive change in scope of the claimed invention and merely serve to place the pending claims in form for issuance. No new matter has been added by way of these amendments.

In paragraphs 2-3, the Office Action rejected claims 1-9 under 35 U.S.C. § 103(a) as being unpatentable over “Focus on Open View A Guide to Hewlett-Packards Network and Systems Management Platform” published in 1995 (“HP Guide”) in view of US Patent No. 5,909,437 issued to Rhodes et al. (“Rhodes”).

In paragraph 3 the Office Action provides detailed ground for the rejection of each of the claims 1-9. Specifically, the Office Action provides detailed grounds for rejecting claim 1, the only independent claim, in paragraph 3. Applicant respectfully traverses these rejections for at least the following reasons.

The combination of the Rhodes with HP Guide also fails to teach, disclose or suggest several features of the claimed invention. For example, the Office Action concedes at the outset that HP Guide fails to teach updating or distribution of applications over wireless connections as described in claim 1. However, there are other features of the claimed invention that are also missing from the HP Guide. For example, the HP Guide does not teach “a central application server program configured to be downloaded to one or more remote wireless application server computers.” Moreover, this deficiency is not cured by Rhodes.

Rhodes is by its own admission suitable for very limited uses. Indeed, Rhodes notes that its system is “intended to be used with fixed subscriber locations rather than the more familiar mobile cellular telephone systems.” See column 1, lines 17-19.

Thus, it presupposes fixed subscriber terminals that may be accessed using a wireless link. Be that as it may, there is no motivation to combine Rhodes with HP Guide to arrive at the claimed invention since the combination continues to lack the required "central application program" as noted above.

Therefore the rejection of claim 1 must be withdrawn. Axiomatically, in view of the resultant patentability of claim 1, claims 2-7 that are dependent upon claim 1 are also patentable. Moreover, claim 8 that has been rejected on similar grounds by the Office Action is also patentable since it also discloses the limitation of a downloadable "application server program" discussed earlier.

Claim 9 was rejected on similar grounds as claims 1 and 8. It too is patentable since neither the HP Guide nor Rhodes teach, disclose or suggest a wireless client component executing on a wireless device that has been configured to exchange data with the central site application server and a remote site server computer. Therefore, claim 9 is also patentable.

In light of the above, it is respectfully submitted that the present application is in condition for allowance. Favorable disposition is respectfully requested.

Although no fees are estimated to be due with this response, please charge any required fees to Jones Day Deposit Account No. 50-3013. Please do not hesitate in calling the undersigned, should there be any need for clarifications.

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Respectfully submitted,



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